

Message Text

LIMITED OFFICIAL USE

PAGE 01 OTTAWA 08182 092140Z
ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-07
L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15
USIA-06 /059 W
-----037911 092146Z /72

P 092133Z SEP 77
FM AMEMBASSY OTTAWA
TO SECSTATE WASHDC PRIORITY 4709
INFO AMCONSUL MONTREAL
ALL OTHER CANADIAN POSTS BY POUCH

LIMITED OFFICIAL USE OTTAWA 08182

E.O. 11652: NA
TAGS: PGOV, PINT, CA
SUBJECT: TRUDEAU CONSTITUTIONAL AMENDMENT PROPOSAL:
LINGUISTIC EDUCATIONAL CHOICE IN ANGLOPHONE PROVINCES;
SPECIAL PROVISIONS FOR QUEBEC

REF: OTTAWA 7679

1. IN LETTER TO 9 ANGLOPHONE PREMIERS AND SEPARATE
LETTER TO QUEBEC PREMIER LEVESQUE, PM TRUDEAU HAS PROPOSED
CONSTITUTIONAL AMENDMENT WHICH WOULD GUARANTEE FREE ACCESS
TO ENGLISH OR FRENCH LANGUAGE INSTRUCTION IN ANGLOPHONE
PROVINCES WHEREVER A SUFFICIENT NUMBER OF PERSONS SPEAKING
EITHER FRENCH OR ENGLISH WARRANTS IT. IN QUEBEC, HOWEVER,
THERE WOULD BE RESTRICTION ON THIS FREE ACCESS, DEPENDING
ON PARENTS' LANGUAGE OF EDUCATION AND AS PROVIDED BY
QUEBEC LAW. AMENDMENT WOULD ASSURE COMPLETE FREEDOM OF
LINGUISTIC CHOICE FOR CANADIANS MOVING FROM ONE PROVINCE
TO ANOTHER. TRUDEAU LETTER NOTES ACCEPTANCE "WITH RELUC-
TANCE" OF QUEBEC DECISION TO FORCE CHILDREN OF NON-
ENGLISH SPEAKING IMMIGRANTS INTO FRENCH SCHOOLS. PROPOSED
AMENDMENT WOULD, HOWEVER, CONTAIN LANGUAGE ALLOWING
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 OTTAWA 08182 092140Z

QUEBEC TO "OPT IN" TO FREE ACCESS GUARANTEE PROVISIONS AT
A LATER TIME.

2. RECOGNIZING FACT THAT EDUCATION IS MATTER SOLELY
WITHIN PROVINCIAL JURISDICTION, TRUDEAU NOTES THAT CON-
STITUTIONAL AMENDMENT "WOULD GIVE NO POWERS WHATEVER TO
THE PARLIAMENT OR GOVERNMENT OF CANADA" BUT WOULD, RATHER,

GIVE CITIZENS RIGHT TO JUDICIAL REDRESS.

3. ALTHOUGH TRUDEAU/LEVESQUE LETTER, AS NOTED ABOVE, MAKES CLEAR FEDERAL DISAGREEMENT WITH THRUST OF QUEBEC ACCESS RESTRICTIONS, TONE IS GENERALLY CONCILIATORY. LETTER RECOGNIZES, FOR EXAMPLE, DIFFICULTIES QUEBEC GOVERNMENT MIGHT HAVE IN ACCEPTING AMENDMENT PROPOSALS. PARTI QUEBECOIS (PQ) COMMITMENT TO QUEBEC'S SECESSION FROM CANADA, TRUDEAU NOTES, MIGHT DAMPEN INTEREST IN "REVISION OF OUR CONSTITUTION TO MAKE FOR A BETTER CANADA." HE ADDS, HOWEVER, THAT IT COULD REGARD SUCH A RIGHT "AS AN ISOLATED PROVISION BINDING ON QUEBEC ONLY SO LONG AS QUEBEC REMAINS WITHIN THE CANADIAN FEDERATION." TRUDEAU ALSO INDICATES THAT, "IF CONSTITUTIONAL GUARANTEES WERE ESTABLISHED... IT SEEMS TO ME THAT THE RESULT WOULD BE TO ACHIEVE AND TO GIVE FORCE TO VERY MUCH THE RESULTS FOR WHICH YOU ARGUED AT ST. ANDREWS." REFERENCE IS TO LEVESQUE PROPOSALS AT RECENT PREMIERS' CONFERENCE FOR RECIPRO(AL EDUCATION LANGUAGE AGREEMENTS WITH OTHER PROVINCES (REFTEL).

4. COMMENT: TRUDEAU GOVERNMENT INITIATIVE ALL BUT RULES OUT PROSPECT OF FEDERAL JUDICIAL CHALLENGE TO QUEBEC LANGUAGE LEGISLATION, AT LEAST AS TO EDUCATIONAL ASPECTS. PRIOR TO RELEASE OF LETTER, DONALD THORSON, PRIME MINISTER'S CONSTITUTIONAL ADVISOR, TOLD POL COUNS THAT, IN HIS VIEW, EDUCATIONAL PROVISIONS OF QUEBEC LANGUAGE LEGIS-

LIMITED OFFICIAL USE

PAGE 03 OTTAWA 08182 092140Z

LATION ARE NOT UNCONSTITUTIONAL.

5. MOST PREMIERS OF ENGLISH-SPEAKING PROVINCES PRESUMABLY CAN ACCEPT PRINCIPLE OF FREEDOM OF LINGUISTIC CHOICE IN EDUCATION, BUT SOME MAY HAVE DIFFICULTY WITH PROPOSAL WHICH EXPLICITLY GRANTS QUEBEC "SPECIAL STATUS" IN AN IMPORTANT AREA OF NATIONAL LIFE. ON OTHER HAND, RENE LEVESQUE WHO HAS NO INTEREST IN ANY AMENDMENTS TO CANADIAN CONSTITUTION, IS NOT LIKELY TO REACT POSITIVELY TO TRUDEAU'S PROPOSAL. WHATEVER ITS BASIC MERITS ARE, WE DOUBT THAT IT WILL GO ANYWHERE, AT LEAST FOR SOMETIME. ENDERS

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PROVINCE, CONSTITUTIONAL AMENDMENTS, OFFICIAL LANGUAGE
Control Number: n/a
Copy: SINGLE
Sent Date: 09-Sep-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977OTTAWA08182
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770327-0836
Format: TEL
From: OTTAWA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770981/aaaacqex.tel
Line Count: 105
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 71479849-c288-dd11-92da-001cc4696bcc
Office: ACTION EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 OTTAWA 7679
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 19-Jan-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1332472
Secure: OPEN
Status: NATIVE
Subject: TRUDEAU CONSTITUTIONAL AMENDMENT PROPOSAL: LINGUISTIC EDUCATIONAL CHOICE IN ANGLOPHONE PROVINCES; SPECIAL PROVISIONS FOR QUEBEC
TAGS: PGOV, PINT, CA
To: STATE
Type: TE
vdkgvkey: odb://SAS/SAS.dbo.SAS_Docs/71479849-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009